



NO IMMUNITY FOR DOCTOR IF HE TESTIFIES

Carman Must Waive Right Before Telling Story to Grand Jury.

ORDER WILL AFFECT HIS WIFE'S SISTER

Prisoner Expected to Give Her Account of Murder To-morrow.

MAID TO TALK FIRST

Mystery in Powder Sent to Mrs. Carman at Jail in Peculiar Letter.

From a staff correspondent of the Tribune.
Freeport, N. Y., July 13. Dr. Edwin Carman, it now appears certain, will be requested to sign a waiver of immunity before he is permitted to appear before the Nassau County grand jury, which to-morrow afternoon will be asked by District Attorney Lewis Smith to indict Mrs. Florence Carman on a charge of first degree murder.

Mrs. Tod Powell, Mrs. Carman's sister, was also asked to sign a similar waiver before she is called before the grand jury. These statements are made on the authority of the District Attorney, who is convinced that Dr. Carman has not told him the truth in regard to the shooting of Mrs. Louise Bailey in his office on the night of June 30.

When the District Attorney lays the case against Mrs. Carman before the grand jury he will also request that she be permitted to testify. This is a question which the jurors alone have the authority to pass upon, and Mr. Smith will make no recommendation either for or against the telling of her story by the physician's wife.

Significance was attached to this remark made to-day by the District Attorney: "In any event, Mrs. Carman will not be allowed to go before the grand jury until Celia Coleman, the colored maid, has testified."

This arrangement, taken together with the semi-official statements that Celia is likely to prove the "star" witness of the prosecution, is construed here to mean that Smith believes the story of the girl will be so convincing that no damage can be done the people's case by the appearance of Mrs. Carman.

The authorities recognize that if Mrs. Carman appears before the grand jury in person she is likely to make an excellent impression and be a good witness for herself. The District Attorney himself, upon whom will devolve the duty of cross-examination, frankly admits that he has no expectation of being able to confuse her on the stand or to shake the story she told at the inquest. He acknowledged the highest admiration for her intelligence.

The District Attorney carefully refrains from knowing exactly what Celia's testimony will be in detail, just as he carefully refrains from knowing what she knows about it. Thereby he saves himself much annoyance when he is questioned.

But Mr. Smith knows enough of the maid's whereabouts to be sure that she will be on hand whenever he wants her, and he seems to know enough about her testimony to be confident that the grand jury will return an indictment.

What will be the details of Celia's story is not known. The District Attorney made this reference to it to-day: "If Mrs. Carman fired that shot and then hurried through the kitchen and immediately afterward had the revolver in her hand, it is probable that Celia would have seen that revolver. At least, I should think she would."

Dr. Carman said late to-night that some unknown person yesterday sent to Mrs. Carman, in Mineola jail, a letter containing a powder, which he believes to be strychnine. Sheriff Pettit, asked what he knew about it, admitted that a letter was received from Mrs. Carman in which the warren found something he regarded as suspicious.

He called on Sheriff Pettit, and said the contents ought to be examined before the letter was given to Mrs. Carman.

NEW YORK WOMEN KILLED

Mrs. A. Gutierrez and Daughter Struck by Train.

Winthrop, Me., July 13.—Mrs. A. Gutierrez and her daughter Lola, of 118 Central Park W., New York, were struck and killed to-night by a train on the Maine Central Railroad near Maranacook station. They were summer visitors here and said to be of a wealthy family.

The accident occurred on a trestle in view of persons on the hotel piazzas and in boats on the lake. Mrs. Gutierrez was fifty years old and her daughter twenty-five.

According to the Blue Book, Mrs. William S. Gutierrez lives at 418 Central Park West, which is the Broadway apartment. Information about members of the family was refused there last night.

MOTORIST NEAR LYNCHING

Killing of Child by Syracuse Man Arouses Vermont Village.

Bemington, Vt., July 13. A child, five years old, the daughter of Charles Dunforth, of East Rupert, Vt., was run over and instantly killed this afternoon by a motor car, owned and driven by J. H. Blessing, of Syracuse, N. Y. The accident caused intense excitement in the little mountain village, and there were even threats of lynching.

Mrs. Blessing, who was accompanying her husband on a tour through Western Massachusetts and Southern Vermont, was taken to the home of a neighbor, Mrs. Allen Bartlett, where she died. Mrs. Blessing was arraigned and held under bonds of \$5,000 for his appearance to-morrow.

BULLET IN TEMPLE: REVOLVER BY SIDE

Retired Engineer Thought to Have Tried Suicide Because of Ill Health.

Samuel F. Prince, Jr., a retired civil engineer, who has made his home at the Hotel Richmond, 70 West 46th st., for three years, was discovered in an unconscious condition yesterday afternoon in his room. A small calibre revolver, with one chamber discharged, was lying by his side, and there was a bullet wound in his right temple.

He was rushed in an ambulance to Roosevelt Hospital, where he died early to-day.

Mr. Prince is sixty-two years old and is believed to have had considerable property. A niece, Margaret Prince, who lives at Statington, Penn., thought to be his only relative, was summoned.

Mr. Prince had been suffering from a nervous ailment for some months and was treated by Dr. Allen Bartlett, of 27 West 47th st. It is the opinion of the physician, expressed last night, that his patient attempted to kill himself because he despaired of regaining his health.

SEEK GIRL'S ASSAILANT

Posse Scours Jersey Woods, but Man Escapes.

Lakewood, N. J., July 13. From noon until late this evening Sheriff Tillman and a posse of more than one hundred men scoured the woods for a radius of five miles around here in search of a man who attacked Clara Hauptmann, ten years old, earlier in the morning. Deputy Sheriff Richard C. Riley and half a dozen bloodhounds were on the scene shortly after the alarm was given, but the dogs were unable to find the scent.

The attack occurred as the little girl was going home from school. She was taken to her home, where she was found by her father. The man sprang from behind a clump of bushes and bore her off to a nearby clump of woods. Her screams were heard by her father. The assailant fled. The approach of her father, and the Lakewood police were at once informed. Within half an hour after the attack the Sheriff was on hand, but there was no trace of the stranger.

T. R.'S WHITMAN LETTER A DRAFT

Sagamore Hill Visitors Say District Attorney Had Prepared Rough Outline.

THINK COLONEL GOT IT FROM DUELL

Reported That Whitman's Name Will Be Proposed Soon—He Says He Is "His Own Man."

Those close to Colonel Roosevelt told newspaper correspondents at Oyster Bay on Sunday that he had a copy of a letter written by District Attorney Whitman attacking William Barnes. The publication of this story brought forth a denial from District Attorney Whitman, who declared he had never written such a letter.

Following Mr. Whitman's denial, it was said yesterday that those responsible for the earlier report that all that Colonel Roosevelt had was what purported to be a draft of a letter by Mr. Whitman, and it was intimated that this draft might be given out for publication in a few days.

These friends of Colonel Roosevelt admitted that the draft now said to be in the Colonel's possession was submitted to him a little more than a fortnight ago by Charles H. Duell, Jr., who had tried to obtain the Colonel's support of Mr. Whitman's candidacy for Governor.

This draft, it was said, was shown to the Colonel in the belief that it might cause him to declare in favor of the District Attorney.

Colonel Says Nothing. Colonel Roosevelt, when told yesterday that Mr. Whitman branded the whole story of his having written a letter attacking Barnes as untrue, refused to make any comment. He did not seem displeased over the situation.

Theodore Douglas Robinson, his nephew and the state chairman of the Progressive party, said he had never heard that Mr. Whitman had written the letter attributed to him.

Other Progressives professed ignorance of the existence of the "letter." George W. Perkins said that, so far as he knew, all that Mr. Whitman had to do about Mr. Barnes he had said in the newspapers. This was what Mr. Whitman himself said earlier in the day.

The story as given out at Oyster Bay on Sunday was that Mr. Whitman had written a letter to Mr. Duell, the head of the Whitman Non-Partisan League.

Just before leaving Newport, where he was spending the week end, Mr. Whitman made this comment on the Oyster Bay story: "The whole thing is untrue. The letter does not exist, and I have never written it. Any one who dares to declare that it is by me on several public occasions, I have said, and I repeat, that I am not subservient to any man. And I am not, and I have not been."

When this was shown to one of the spreaders of the Sunday report, Mr. Whitman said he had written a letter he admitted there was no signature on the draft said to be now in the possession of Colonel Roosevelt.

Refuses to Comment.

The Colonel, while refusing to comment on Mr. Whitman's denial, said it was beyond his knowledge where the story originated.

Though it is apparently beyond persistent investigation to get from the Colonel further word on what part he is to play in the gubernatorial campaign, he is not to be taken in by the "letter," which in this state continues vigorously.

Report gives the nomination for Lieutenant Governor to "an independent Republican" of the type of Harry D. Hinson, a paradoxical expression to the ears of political sharps. The same report says that the choice for United States Senator will be Baird, Colby or Justice Samuel Seaboard. If the latter is not named for the Court of Appeals, and Homer D. Call for State Treasurer.

The Rev. J. J. Curran, of Wilkes-Barre, Penn., became a strong friend of the Colonel in 1901, when he assisted Mr. Roosevelt, then President, in settling the strike of the anthracite miners in Pennsylvania, called at Sagamore Hill this morning.

300 CONVICTS IN RIOT

One Keeper Badly Hurt Before Unruly Are Subdued.

Trenton, July 13.—Three hundred or more convicts in the state prison here rioted this afternoon, when they were being led back to their cells from the workshops. One keeper was badly injured before quiet was restored.

This riot was the second at the prison since the law passed last winter abolishing prison labor went into effect, on July 1. On July 2 a number of the convicts, evidently coached by outside workers on "letting" the riot, refused either to work or to go to the shops. A bread-and-water diet for the leaders soon broke the "strike."

The riot started when John Brown, serving a term for a year for burglary, knocked down a keeper. Head Keeper Madden and others with clubs and revolvers checked the rioters and marched them to their cells.

STEERS JUMP OVER MOON

Highest Summer Mark in 30 Years, \$10.65 a Hundred.

What is said to be the highest price paid for prime dry fed steers, outside of those specially fattened for the Christmas trade, for some thirty years, was reached in this market yesterday, when \$10.65 a hundred pounds was bid for a bunch at the Jersey City stockyards.

Chicago, July 13. Cattle prices at the Union Stock Yards reached a record point to-day, when choice heaves sold for \$10.65.

This price was the highest ever paid there in July. It was top point for the year. Hogs touched \$9, the highest level in months.

SING SING DRUG SMUGGLING EASY

Conscientious Employees Alone Can Stop Evil, Committee Holds.

Prisoners in Sing Sing have little difficulty in getting cocaine, opium, heroin or other drugs, as charged by ex-Warden James M. Clancy. This fact was brought out yesterday at a hearing in the prison by a committee of the State Prison Commission.

Leon C. Weinstein, Frank E. Wade and Dr. Rudolph F. Diehl are the investigators, and they have practically made up their minds that it will be useless to attempt to wipe out the evil until the force of employees is increased by the addition of a number of conscientious and high-minded men.

The shipping department of the prison, the investigators discovered, furnished the easiest and most convenient source for smuggling in the drugs. This is the department in which all the supplies for the industrial department are received, and twenty-three convicts, with a single keeper in charge, make up the force.

The heads of the storeroom and the washroom were also questioned, but each declared that his supervision was so careful that the smuggling of drugs was practically impossible. Although the investigators refused to admit it, it wasn't hard to discover from their questions that they suspected that a number of the keepers carried the drugs to the prisoners.

While Mr. Clancy was warden he tried to break up the evil by transferring many of the drug users to Clinton and Auburn prisons, but a large number remain.

Several convicts were questioned to-day, and their statements disclosed conditions that the prison users. Since the prison does not supply handkerchiefs, they have to come from friends of the prisoners. In some instances the hems have been dipped in cocaine solution. When the drug fiend gets the handkerchief he sucks the hem.

NEW HAVEN STOCKHOLDERS' MILLIONS WERE THROWN AWAY, SAYS COMMERCE COMMISSION

Losses by "Reckless and Profligate" Management May Reach \$90,000,000.

LITTLE CHANCE TO RECOVER LOOT

Report Declares Financial Operations Wasteful and Illegal.

DENOUNCE DIRECTORS

No Federal Statute Under Which Government Can Aid Stockholders to Recover.

Washington, July 13.—The story of the "reckless and profligate" financial operations of the New Haven Railroad, one of the most remarkable chapters in the history of American railroads and American finance, was revealed in part to-day by the Interstate Commerce Commission in a report to the Senate of its investigation of that road.

This report tells of millions used like stage money, of corporations as pawns in a monster game with all New England's transportation as a prize, which led the New Haven in the ten years just passed from the height of prosperity to the point of where a dividend has been passed, where a dissolution suit is threatening, and where criminal indictments of many of the directors who figured in its deals are at least a possibility.

Hampered by unwilling witnesses, by burned books and by all the mazes which lawyers invented to cover the trail, the commission estimated that in the progress toward a monopolization of New England transportation the New Haven stockholders have lost between \$65,000,000 and \$90,000,000, but little of which they may recover. In return, the report says, they have on their hands properties which pay no dividends, which eat into the earnings of the parent road, and which will be a burden on its capacity for many years to come.

The report deals with the management of the New Haven under Charles S. Mellen, its former president, and it says of the present directing head, Chairman Howard Elliott, and Walter D. Hines, special counsel: "They have co-operated with the commission and rendered it substantial assistance throughout this investigation."

In Violation of Law.

The combination reared by the hands of Mr. Mellen the commission finds to be clearly in violation of the Sherman anti-trust act and a monopoly in practical control of the transportation of five states.

The commission's report is unusual in the manner in which the directors of the New Haven are scored for their deeds. It speaks of criminal maladministration and negligence, asserts with positiveness that the directors knew they were perfecting an illegal combination, and says that the dream of a transportation monopoly was unsound and mischievous.

The New Haven, the commission says, employed dummy directors, manipulated accounts, used questionable methods in increasing its own stock, paid the dividends of subsidiaries to make a showing and used many other devices to deceive the stockholders and the public. It dipped into politics, was a factor in "invisible government," made large campaign contributions to the two dominant political parties, bought officials and tried to distort public opinion. All this it did, the commission says, "to carry out a scheme of private transportation monopoly imperial in its scope."

"If these directors, who were faithful to their stewardship, were held responsible in the courts and at the bar of public opinion for their failure to do those things they should have done the lesson to directors who do not direct would be very salutary," says the report. "Most of the directors of the New Haven accepted their responsibility lightly. They failed to realize that their names gave confidence to the public and that their connection with the corporation led the public to invest. When these directors were negligent and serious losses resulted therefrom they were guilty of a grave dereliction of duty and a breach of trust that was morally wrong and criminal in its fruits."

"Directors should be made individually liable to civil and criminal laws for the manner in which they discharge their trust. A corporation can be no better or worse than those who operate it. It should be just as grave a crime to plunder stockholders or the public through a railroad corporation as it is personally to rob an individual."

May Recover Little.

Of all the millions lost to New Haven stockholders the commission estimates that possibly \$8,000,000 may be recovered by proper action. Evidence in its possession tending to show violations of the law of New York, Massachusetts and Rhode Island have been turned over to the proper authorities in those states. The Department of Justice has been furnished with a complete record of the testimony secured by the commission, but there is no

WHAT THE COMMISSION FOUND

"Boston & Maine despoilment."
"Inequity of the Westchester acquisition."
"Double price paid for the Rhode Island trolleys."
"Recklessness in the purchase of Connecticut and Massachusetts trolleys at prices exorbitantly in excess of their market value."
"Disposition without knowledge of the directors, of hundreds of thousands of dollars for influencing public sentiment."
"Habitual payment of unitemized vouchers without any clear specification of details."
"Practice of financial ledgerism in issuing large blocks of New Haven stock for notes of the New England Navigation Company and manipulating these securities back and forth."
"Fictitious sales of New Haven stock to friendly parties with the design of boosting the stock and unloading on the public at the higher 'market price.'"
"Scattering of retainers to attorneys of five states, who rendered no itemized bills for services and who conducted no litigation to which the railroad was a party."
"Extensive use of a paid lobby."
"Payment of money and profligate use of free passes to legislators and their friends."
"Investment of \$400,000 in securities of a New England newspaper."
"Regular employment of political bosses in Rhode Island and other states . . . to prevent them . . . from becoming active on the other side."
"Retention by John L. Billard of more than \$2,700,000 in a transaction . . . in which he invested not a dollar."
"Inability of Oakleigh Thorne to account for \$1,032,000 of the funds of the New Haven."
"Distribution of \$1,200,000 for corrupt purposes."
"Unwarranted increase of the New Haven liabilities from \$93,000,000 in 1903 to \$411,000,000 in 1913."
"Increase in floating notes from nothing in 1903 to approximately \$40,000,000 in 1913."

BIG CHANGES MADE IN CLAYTON BILL

Newlands May Block Plan for Anti-Trust Consolidation.

UNION LABOR LOSES NOTHING IN AMENDING

Interlocking Directors Forbidden Only in Case of \$1,000,000 Corporations.

Washington, July 13.—The plan of the Democratic leaders of the Senate to consolidate the anti-trust bills seems likely to be blocked by Senator Newlands, who strenuously objects to the merging of the bill for which he is responsible with those emanating from the House. The following, however, are the salient points of the Clayton bill as agreed to and which The Tribune correspondent is permitted to make known for the first time:

Extends the terms of the statute of limitations from three to six years in anti-trust cases and provides abundant exemption for labor organizations when conducting operations otherwise prohibited by law.

Provides that no provision of the bill shall apply to the Philippine Islands, and in the second section the provision that nothing in the bill shall prevent discriminations based on variation of grades of commodities or the cost of transportation thereof, and that nothing shall prevent persons engaged in commerce from selection of their own customers are stricken out.

The provision making it unlawful for any person operating a mine, oil well, hydro-electric plant, etc., from selling the product thereof to any responsible person is stricken out.

The provision forbidding price fixing is amended to apply to patented as well as to unpatented commodities, and the provision that the final judgment in favor of the United States under the anti-trust law shall constitute "conclusive evidence" in a suit brought against the defendant by a private individual has been changed to "merely prima facie evidence. It is in this connection that the period of the statute of limitation is extended from three to six years. It is further provided that new suits under the anti-trust law have been instituted by the United States, the statute of limitations shall not be held to run during the pendency of such suit.

Labor Provision Amended. That provision designed to save labor, fraternal and other organizations of a like character from prosecution under the act is so amended as to make it apply only to labor, agricultural and horticultural organizations, the references to fraternal, consumer and similar organizations being stricken out. There is inserted a provision, moreover, that nothing contained in the anti-trust law shall be construed to forbid the existence and operation of labor, agricultural and horticultural organizations instituted for the purpose of mutual help and having no capital stock, nor to forbid individual members of such organizations from lawfully carrying on their own business with or without change. In this connection, the provision that nothing contained therein shall operate to "make stockholding

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Rockefeller \$10,000 to Salem.

Boston, July 13. A contribution of \$10,000 from John D. Rockefeller and numerous other smaller gifts brought the total of the Salem fire relief fund up to \$204,810 to-day.

Kryptok, Toric Eyeglasses set in stylish mountings at SPENCERS, 7 Maiden Ln., Ady.

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